

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

S.O.I.TEC SILICON ON INSULATOR  
TECHNOLOGIES S.A. and  
SOITEC USA, INC.,

Plaintiffs/  
Counterclaim  
Defendants,

v.

MEMC ELECTRONIC MATERIALS, INC.,

Defendant/  
Counterclaim  
Plaintiff.

JURY TRIAL DEMANDED

Civil Action No.: 05-806

**MOTION TO DISMISS**

Defendant, MEMC Electronic Materials, Inc., hereby moves pursuant to Rule 12, Fed. R. Civ. P. to dismiss Counts I and III-VII of the Complaint for the reasons stated in the attached Memorandum.

/s/ Paul E. Crawford

Paul E. Crawford (I.D. #493)

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*Attorneys for MEMC Electronic Materials, Inc.*

It is HEREBY ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2006 that Counts I and III-VII are dismissed.

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Paul Crawford, hereby certify that on this 18<sup>th</sup> day of January, 2006, I electronically filed the **MOTION TO DISMISS** with the Court Clerk using CM/ECF which will send notification of such filing(s) to John L. Reed. I hereby further certify that on this 18<sup>th</sup> day of January, 2006, I have served this document on the attorneys of record at the following addresses as indicated:

**VIA HAND DELIVERY**

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/s/ Paul E. Crawford  
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